

18th July 2013**Agenda Item: 6 (a)****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING
APPLICATION FOR RESIDENTIAL DEVELOPMENT, ON LAND NORTH OF
SKEGBY LANE, MANSFIELD****Purpose of the Report**

1. To seek Committee ratification for comments set out in this report which were sent to Mansfield District Council (MDC) on 27th June 2013 in response to the request for strategic planning observations on the above planning application for residential development at Skegby Lane, Mansfield.

Information and Advice

2. A planning application was submitted to Mansfield District Council on the 8th May 2013 for residential development on 6 hectares of agricultural land to the north of Skegby Lane, Mansfield. This is an outline application only, with all matters reserved, however the applicant envisages a development of up to 150 dwellings with associated landscaping and recreation space.
3. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. Officer comments, outlining the information below, were sent to Mansfield District Council on 27th June 2013 in order to meet their consultation deadline for this application. A site plan is provided at Appendix 1.
4. The planning application package comprises of an indicative masterplan, Design and Access Statement, Planning Statement and assessments relating to transport, flood risk, landscape and visual impact, ecology, utilities and archaeology/heritage. This report is based on the information submitted with the application in the context of national and local policy.
5. The application site lies outside the urban boundary within the Landscape Protection Policy Area (or open break) between Mansfield and Sutton-in-Ashfield as set out in the Mansfield District Local Plan.

Description of the Proposal

6. The application site is located on two agricultural fields north of the B6014 Skegby Lane adjacent to the Ladybrook Estate, but just beyond the western boundary of Mansfield. Skegby Lane runs along an elevated ridge between Mansfield and Sutton-in-Ashfield and forms the southern site boundary for the eastern field and is also the likely point of access. A row of around 30 properties line part of the lane, some of which back onto and form the boundary with the western field proposed for development. A tall telecommunications tower and compound is also located directly on this southern site boundary, making use of this elevated position. The eastern boundary is formed by the rear gardens of houses in Andover Road, Winborne Close and Lymington Road as well as the field boundary adjacent to the Millennium Green public park. To the north of the western field is a historically noteworthy fishpond within the large curtilage of a private dwelling. The western boundary is formed by a strip of juvenile woodland, which has in effect carved up a previously larger field and provided a screen from the A617.
7. Field hedges generally surround the site and enclose the two individual fields. Tall hedges and interspersed trees line the Skegby road frontage, meaning that the site is not readily visible from the road. With the exception of the row of properties, the area is generally characterised by its rural setting acting as an open break between Mansfield and Sutton-in-Ashfield. Agricultural pasture land falls away to the south of Skegby Lane towards Kings Mill Hospital located on lower ground.
8. The overall site area of the two fields is 6 hectares and once areas for landscaping and access are discounted the applicant envisages up to 150 dwellings at a density of 30 per hectare.
9. As an outline application with all matters reserved, the particulars have not been set, however an illustrative masterplan has been provided and design and layout matters and rational are discussed in the Design and Access Statement. The masterplan indicates a single point of access on Skegby Lane to the west of the Millennium Green, from which a spine road would lead into the site to serve the properties. The exiting field hedge between the fields would be largely kept as a feature, along with the juvenile woodland to the west and much of the hedge along the road frontage. A LEAP (Local Equipped Area for Play) could be sited adjacent to the Millennium Green with the potential to link through. Two balancing ponds for surface water would be sited in the north-eastern corners of both fields to the rear of existing properties.
10. The applicant, in recognising the distance to local shops, indicates that there is potential for one of the gateway houses to be converted to a local shop, although the scope of the application does not include any retail use.
11. The site lies immediately beyond the Mansfield Settlement Boundary on land protected under Mansfield District Council's Local Plan Policy NE4(A) which seeks to protect the open landscape character between Mansfield and Sutton-in-Ashfield. The purpose of the policy is to prevent the coalescence of the two settlements and prevent urban sprawl.

Planning Policy Context

National Planning Policy Framework (NPPF)

12. A notable aim of the NPPF (para 47) seeks to boost the supply of housing and requires Local Authorities to provide a 5 year supply of deliverable housing sites against the housing requirements with a 5% or 20% buffer to provide for choice and competition or in cases of under achievement. Relevant policies for the supply of housing should not be considered up to date if the Local Authority cannot demonstrate a 5 year supply.
13. Following the revocation of the East Midlands Regional Plan, Mansfield District Council have adopted a local housing needs approach and can currently demonstrate a 7 year housing land supply based on this locally agreed target.
14. A key part of the NPPF is the presumption in favour of sustainable development, which directs that development should be approved where it accords with the Development Plan, or where the Plan is out of date or silent, approving development unless there are significant and demonstrable adverse impacts to outweigh any benefits.
15. The NPPF (Annex 1, para 215) also addresses the level of weight which can be attributed to saved policies and emerging Plans. Following the end of the transition period, full weight to saved policies has now ended, meaning that weight should be given to these policies according to their consistency with the NPPF.

Mansfield District Local Plan 1998

16. The Mansfield Local Plan remains in place and many of the policies have been 'saved' pending replacement by the Mansfield Core Strategy and other Development Plan Documents. Development on the application site is currently restricted by Policy NE4(A). It states:

Planning permission will not be granted for any developments which would detract from the open character of sensitive gaps between settlements in the following locations:-

NE4(A) - between Sutton-in-Ashfield and Mansfield, from fishpond hill to Skegby lane.

17. The purpose of the policy is to prevent the coalescence of the two settlements and help define their separate characteristics and prevent urban sprawl. The supporting text adds the following:

Land adjacent to the north of Kings Mill Hospital up to Brick Kiln Lane/Abbott Road helps maintain an important break between the outer edges of Mansfield and Sutton. It is important for the character and appearance of the area, and indeed, the perception of local people that the two towns do not merge.

Strategic Planning Issues

18. The application is seen as a departure from the development plan by means of Policy NE4 of the Mansfield Local Plan and the applicant fails to justify why this departure is appropriate. It must be recognised that this is a saved plan of some age and therefore the NPPF carries

significant weight as a material consideration. Clearly the proposed development would contribute new housing, including a level of affordable homes (circa 30 units) which could help to boost local housing supply and delivery in accordance with the aims of the NPPF. The proposed location represents the edge of the urban area, with many local facilities and services relatively accessible by foot, although some distances are just beyond what is generally assumed to be accessible. Intake Farm Primary School is around 1km walking distance from the site entrance and Rosebrook Primary School is around 1.5km walking distance. Typically the attractiveness of walking falls off for distances over 800m or half a mile. Three local bus services are available from stops circa 600 metres from the site entrance.

19. It is considered that issues of landscape impact and highways impact are particularly relevant in this case and these comments and others are summarised as follows.

Landscape and Visual Impact

20. The County Councils' landscape team, in considering the submitted information, raise notable concerns regarding the proposal and considers the Landscape and Visual Impact Assessment (LVIA) to be technically flawed which prevents a balanced and considered appraisal from being made.
21. It is noted that a full assessment of visual impact was not undertaken due to non-access to adjacent properties and that given the elevated nature of the site, the proximity to other properties and the potential for some 3-storey type dwellings, such a level of detail is important.
22. The LVIA fails to consider the correct Landscape Character Assessment applicable to the area and its recommended landscape actions. County Councils' landscape team are not in agreement with the LVIA findings in relation to impact on Landscape Character. The applicants LVIA finds that the sensitivity level is 'High', with the degree of change evaluated as 'High', leading to a magnitude of impact as 'Substantial Impact, - Neutral effect'. The landscape team considers that any substantial impact would not have a neutral impact without considerable mitigation.
23. Due to the elevated position on a natural high point and the inclusion of 3 storey dwellings (11.5m to ridge height) it is recommended that a plan showing the theoretical Zone of Visual Influence (ZVI) is produced to a study area of 2Km to show visibility lines from representative viewpoints.
24. A key issue is the acceptability of development in the 'sensitive gap' or landscape area between Mansfield and Sutton-in-Ashfield. The policy position relating to the landscape area preventing the coalescence of Mansfield and Sutton-in-Ashfield is noted both in terms of Policy NE4 of the Mansfield Local Plan (as noted above) and also the position taken by the Mansfield Landscape Character Area Assessment in ML28- Penniment Lane Urban Fringe Farmlands. It recommends to:

'Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements.'

25. It is noted that development is proposed in two locations on the Ashfield side of the 'gap' through the review of the Ashfield Local Plan which is at an early stage of preparation, however officers are not in agreement with the applicant's contention that this should necessarily lead to a similar re-appraisal on the Mansfield side.
26. While the proposed development is relatively narrow, it is located at the narrowest point between the two conurbations and as such it is considered it would have the most significant negative impact upon the desire to maintain two distinct urban areas and their individual civic identity and set a precedent for further such development.
27. On matters of layout and design, whilst the plans are only at outline stage, the Design and Access Statement and indicative masterplan, allows for some assessment. The landscape team considers there to be a good design rationale, protecting and retaining most features such as trees and hedgerows. The inclusion of balancing ponds and new landscaping would be beneficial, however the stability of ponds on the sloping ground should be ensured and new tree planting particularly against the boundary of properties in Andover Close should be pulled back as far as possible from the boundary, so to avoid over-shadowing the existing properties which are at a lower ground level. As the site slopes up from these existing properties, the massing of the proposed new housing would also be magnified, particularly for the 3 storey units envisaged.
28. In summary the proposal is not currently supported on landscape grounds and it is recommended that the LVIA and other information is reworked to address identified deficiencies in order to successfully show the site's suitability for development. Full landscape comments can be found in appendix 2.

Transport

29. Whilst only an outline application, access is proposed from a new turning on Skegby Lane and a transport assessment based upon 150 dwellings and residential travel plan have been submitted. At this stage the Highway Authority (HA) has undertaken a preliminary review of these submitted plans, noting a number of fundamental issues which need to be addressed by the applicant.
30. The HA considers the design of the proposed 'T' vehicular access to be inadequate to serve the site without compromising the safety and free-flow of traffic along Skegby Lane. Guidance suggests that for the level of traffic using this road a right hand turning facility will be required into the proposed new development. The visibility splays at this junction should also be increased so that 142m visibility distance is achieved both to the west and east of the access.
31. The Transport Assessment analysis expects that the proposed development of 150 dwellings would increase the level of traffic using Skegby Lane by 5% and considers this to have a negligible impact on the operation of the A617/ Skegby Lane junction and the A38 Sutton Road and Skegby Lane junction. The HA notes that these junctions may already be at capacity and that any increase in traffic may compromise their operation. Therefore further assessments are requested relating to the impact on these junctions. It is recommended that the determination of the application is deferred until such information is provided to the satisfaction of the HA. Detailed highway comments can be found in appendix 3.

Ecology

32. The proposals will not affect any statutorily or locally designated nature conservation sites and surveys have found the site to be of low conservation value. However the plantation woodland and hedgerows are of value and much of this is to be retained and should be protected from the impacts of construction. The ponds to the north of the site were not surveyed for the presence of protected species and certain assumptions have been made and it is advised that an inspection is undertaken, if possible before any determination, to cover obligations under the Habitats Directive. The requirements for additional surveys for bats has been identified by the applicant and again it is recommended that these are undertaken prior to any determination. Other standard conditions and method statements are recommended to protect species that might be present.
33. In terms of ecological enhancements, measures should be incorporated into a detailed landscaping scheme for the site and a landscape management plan should also be conditioned so that new and retained areas of habitat are managed for wildlife. The conservation value of the proposed balancing ponds should be maximised at the design stage.

Developer Contributions

34. Should the application proceed, then Nottinghamshire County Council will seek developer contributions relating to County responsibilities in line with the Council's adopted Planning Contributions Strategy. Such contributions, in the case of residential development, could for example cover provision for education and integrated transport measures.

Planning Policy- Waste

35. Attention is drawn to Policy WSC1 in the emerging Nottinghamshire and Nottingham Waste Core Strategy (WCS) which requires due consideration to design and construction of new development in such a way as to minimise waste arisings, maximise the use of recycled materials and assist with the collection, separation, sorting, recycling and recovery of waste from the development. The WCS is currently in the examination stage, having completed its public hearing, and therefore due weight can be afforded to the emerging plan at this advanced stage of preparation.

Archaeology

36. The archaeology officer advises that the proposed development site is likely to contain important archaeological remains in the form of early mining remains along with possible earthworks. Surviving deposits would provide very valuable information, but are likely to be damaged or destroyed by the proposed development. However it is considered that there is insufficient information at present to gauge its importance or level of survival. It is therefore recommended that additional information in the form of an archaeological field evaluation is undertaken and submitted for consultation before the planning application is determined. Detailed archaeology comments can be found in appendix 4.

Conclusions

37. The application is a departure from the Mansfield Local Plan and the applicant fails to justify why this departure is appropriate. The County Council raises significant concerns, particularly with landscape impact in terms of the loss of part of the protected landscape area between Mansfield and Sutton-in-Ashfield and visual impact due to this elevated site. Further assessment work is required to address concerns raised. In terms of highways issues and archaeology, further work is required to satisfy the Highways Authority and archaeology officer that the development can mitigate impacts.

Other Options Considered

38. This report considers all of the relevant issues in relation to the above planning applications which have led to the recommendations, as set out below. Alternative options considered could have been to express no or full support for the application.

Reason/s for Recommendation/s

39. The proposed development is considered to be a departure from the development plan as it is contrary to Policy NE4 (*open character of sensitive gaps between settlements*) of the Mansfield Local Plan and particular issues and impacts relating to landscape, visual impact, highways and archaeology are highlighted to Mansfield District Council as the determining authority.

40. Further work is required to satisfy the County Council with regards to highways, landscape, visual impact and archaeology.

Statutory and Policy Implications

41. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

42. There are no direct financial implications.

Implications for Sustainability and the Environment

43. There are no direct implications for Sustainability and the Environment.

RECOMMENDATION/S

1) That Mansfield District Council be advised that, whilst the principle of housing development in terms of strategic, national housing and economic growth is supported, the application constitutes a departure, by means of Policy NE4 (*Open character of sensitive gaps*

between settlements), from Mansfield District Council's Local Plan and the applicant fails to justify why this departure is appropriate.

2) That further highway related work is necessary to assess impact on the safety and operation of local roads and junctions and that additional archaeological work is provided by the applicant in the form of a field evaluation, due to it being considered that inadequate and insufficient information has been provided with the application to properly assess its acceptability in landscape and visual impact terms.

3) That if Mansfield District Council are minded to approve the application, then the County Council request that they consult with the Developer Contributions Team to assess the need for developer contributions in line with the Council's adopted Planning Contributions Strategy.

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Joel Marshall, Planning Policy Team, ext 74978

Constitutional Comments (NAB 24.06.13)

44. Environment and Sustainability Committee has authority to approve the recommendations set out in this report by virtue of its terms of reference.

Financial Comments (SEM 24/06/13)

45. There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

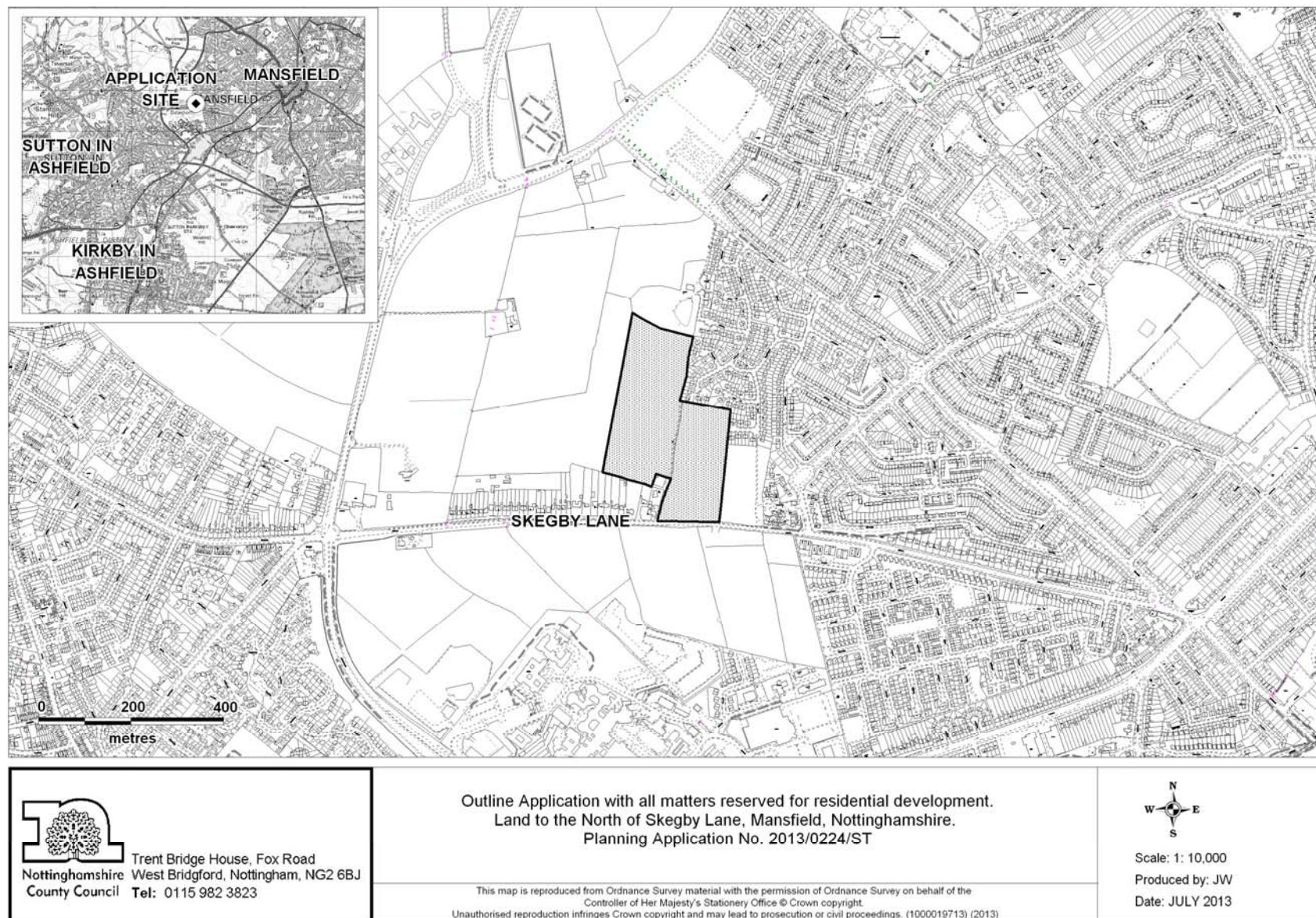
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division and Members Affected

Mansfield West -

Councillor Diana Meale
Councillor Darren Langton

Appendix 1 – Map showing proposed application site



Appendix 2- Detailed Landscape Comments

The following documents were referred to:-

- 1656 - Landscape and Visual Impact Assessment – May 2013 by Jackson Design Associates
- 1656 – Planning Statement 1 - February 2013 by Jackson Design Associates
- 1656 - Design and Access Statement 1 - January 2013 by Jackson Design Associates
- 1656 – 101-B-Indicative Masterplan - February 2013 by Jackson Design Associates

1. Landscape and Visual Impact Assessment – May 2013 by Jackson Design Associates

- 1.1 In the introduction, the LVIA states its intention to follow the principles produced by **The Countryside Agency and Scottish Natural Heritage's Landscape Character Assessment Guidance for England and Scotland** and **The Landscape Institute and the Institute of Environmental Management and Assessment's guidelines for Landscape and Visual Impact Assessment, Second Edition published in 2002.**

The methodology of the assessment is not clearly defined, with the definitions for magnitude of change having landscape and visual impacts muddled together. There is no clear definition of how Landscape sensitivity is evaluated; similarly there are no clear definitions for visual sensitivity of receptors or the magnitude of visual change. Without these definitions clearly stated it is impossible to consider the assessment of effects.

The introduction concludes that no technical difficulties were encountered in assessing the landscape and visual impacts of the proposed development, but then goes on to state that there was no access to potentially affected private properties. While this is not always essential, given the elevated nature of the site and its juxtaposition to an extensive housing estate; this is an important element of the study and a competent assessor would be able to make a judgement.

- 1.2 In the baseline study, references are made to the national, regional and local Landscape Character Assessments. While there is information on the national character area, there is nothing for the East Midlands's Regional level. The document also incorrectly makes reference to the Nottinghamshire Countryside Appraisal 1997 which has been superseded by the Greater Nottingham Landscape Character Assessment (June 2009).

The development site is now covered within the Mansfield Landscape Character Area Assessment under ML28: Penniment Lane Urban Fringe Farmlands. While the submitted document does include the general characteristic features for this policy area, it fails to mention the evaluated landscape strength, ie Conserve, or any of the recommended landscape actions. The last of these; **'Other development/ structures in the landscape'** - *Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements*, has a significant bearing on the scheme's intention.

- 1.3 Item 1.25 within the submitted document identifies the approach taken to determine representative viewpoints. While there is a certain rationale to the viewpoint selection, it is considered that this is highly subjective and could easily be skewed or misunderstood through the use of aerial images, especially with the proposed inclusion of 3 storey buildings (11.5m ridge line).

It is our recommendation that a plan showing the theoretical Zone of Visual Influence (ZVI) is produced to clarify visibility lines, and the most appropriate representative viewpoints. This ZVI plan should encompass a study area of 2Km and consider the highest development point in both the construction, and operational phases.

- 1.4 Section 3 of the document details the predicted landscape impacts to both the Landscape Character and Visual Receptors. As mentioned in item 1.1, without a clear definition of how the landscape sensitivity has been graded, or the views have been measured in both sensitivity of receptors and magnitude of visual change, it is impossible to effectively review the judgements made.

While the above points stands, we would seriously question at least some of the assessments made. For example, with reference to the impact on Landscape Character Assessment, the document states under Land Use:

'The land use will change from agricultural to residential with significant areas of public open space and green corridors.'

The **sensitivity level** is evaluated as **High**, with the **degree of change** evaluated as **High** leading to a **magnitude of impact** stated as **Substantial Impact, NEUTRAL** effect. It is our view that any substantial impact would not have a neutral effect without considerable mitigation.

- 1.5 It is our recommendation that this document be thoroughly reworked by the authors to identify and clearly outline the definition of terms for both landscape and visual elements. These terms should then be accurately evaluated in the assessments for both the landscape character and visual receptors selected, considering the development both with, and without mitigation measures. This process should be carried out for both the construction and operational phases.

2 Planning Statement 1 - February 2013 by Jackson Design Associates

- 2.1 While it is understood that the application area has been promoted as a suitable development site in the **Strategic Housing Land Availability Assessment (SHLAA)**, we are of the understanding from the submitted statement that policy NE4 of the now out of date Mansfield Local Plan, adopted in 1998, has been 'saved' and will continue to guide development in the area until they are superseded by emerging LDF policies.

Policy NE4 states:

'planning permission will not be granted for any developments which would detract from the open character of sensitive gaps between settlements in the following locations:- NE4(a) between Sutton-in-Ashfield and Mansfield, from Fishpond Hill to Skegby Lane.

- 2.2 In addition to the above, the recommend actions in the Mansfield Landscape Character Area Assessment, ML28: Penniment Lane Urban Fringe Farmlands are:

Other development/ structures in the landscape:

'Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements.

- 2.3 The statement goes on to detail information outlined in the Ashfield District new Local Plan which is under development and will cover the period 2010 -2023 when completed. This information shows two large areas of housing proposed on the north eastern edge of Ashfield within the area both district councils have previously identified as 'The Sensitive Gap'. In the statement the applicant suggests that based on the details in the Ashfield Plan, Mansfield District Council should similarly re-appraise their policy on built development within the sensitive gap area.
- 2.4 While the proposed development within this application is relatively narrow in land take, it is located at the narrowest point between the two conurbations, and as such will have the most significant negative impact upon the desire to maintain a distinct division between the two urban areas. The perceived argument that this should be acceptable because the other council is suggesting something similar does not make it right or appropriate. We feel this argument is unfounded and could lead to this slim wedge of green space disappearing, swiftly and easily once a precedent is set, resulting in the individual civic identity of the two districts becoming blurred.

3 Design and Access Statement 1 - January 2013 by Jackson Design Associates

- 3.1 Taking into account that the points made in section 1 and 2 above, have already covered, the submitted design and access statement is a very thorough and well balanced document. It clearly set out the supporting evidence for the proposed development and a strong clear set of design principles that have been applied to the design. There is however a couple of minor points of consideration that appears not to be addressed.
- 3.2 The map accompanying the site audit clearly shows overhead power cables running through the site. This is confirmed as a low, pole mounted system in photographs 10 & 11 in this document, yet there is no mention of how these existing utilities are to be dealt with. This is a Health and Safety issue that will need addressing in subsequent detail designs.
- 3.3 On several occasions the document makes reference to both a LAP and a LEAP standard play facility being included within the scheme. While the LEAP scheme is clearly shown on the indicative masterplan there is no space shown for the LAP play area.
- 3.4 The comprehensive section 3, covering design, makes reference to the scale range of buildings planned. This includes buildings up to 3 storeys high with a ridge line of 11.5m. The inclusion of this height of building on a natural high point within the surrounding landscape reinforces the need to undertake the recommended theoretical Zone of Visual Influence (ZVI) study, outlined in 1.3 above.

4 101-B-Indicative Masterplan - February 2013 by Jackson Design Associates

- 4.1 In our opinion the indicative masterplan included in the application is on the whole very well considered. The design rationale has been consistently well applied to the site, protecting and retaining most of the best landscape features and incorporating some additional new beneficial features such as the SUDS swales and balancing ponds and the considerable number of additional trees.
- 4.2 While it is understood that this is an indicative plan where the layout has not been finalised there are a couple observations outlined below.
- 4.3 The location of the balancing ponds is logical considering the existing general topography of the site, and the design desire to maximise visual breathing space between the existing and new development. They are of considerable size, and will be located in an elevated position in close proximity to existing residential properties to the east.

This is more of a detail, technical matter that should not prove impossible to resolve, however careful calculation and consideration of the constructions stability, capacity and overflow arrangements are required.

- 4.4 The second point concerns the massing of buffer tree planting to the boundaries adjacent to the existing residential housing. As can be seen from the site photographs in the design & access statement these existing properties are set considerably below the existing topography of the application site, therefore any massing of built structure or taller landscape feature against these boundaries will have magnified impacts.

In all but a few cases the design layout for housing has maintained a relatively generous distance from the existing boundary, and those few that are close we feel constitute an acceptable number considering the scale of the development planned. Obviously if the design can be adjusted slightly to pull these few proposed properties further away from the boundary, all the better.

The more significant problem with the indicative scheme is the massing of trees around the existing residential properties at the end of Andover Road. While these will take time to mature; the quantity,

close proximity to the boundary, and elevated planting height is likely to create dense shade to these properties for most of the day. We recommend this screen planting should be pulled back as far as possible from the site boundary to minimise overshadowing issues.

5 Summary & Recommendations

- 5.1 In summary, the landscape team does not support this application. The LVIA supporting document is technically flawed and as such a balanced and considered appraisal cannot be made. The Planning statement is highly contentious in its thinking and goes against the Mansfield Landscape Character Area Assessment policy actions for ML28: Penniment Lane Urban Fringe Farmlands.
- 5.2 The above points noted, the second two documents reviewed were very well considered and applied. Therefore it is our view that should the LVIA document be comprehensively reworked to address the technical deficiencies and successfully show this site's suitability for the proposed development, a more considered assessment could be undertaken.
- 5.3 To achieve the goal of a successful application from a Landscape perspective we require the following recommendations to be addressed:
- The LVIA document to be comprehensively reworked, addressing technical deficiencies identified.
 - Clarification of issues identified in the Design & Access Statement
 - Consideration and rationalised response to the points raised with regard to the indicative masterplan.

We trust these comments are clear and understandable, but should you have any specific questions you wish clarifying please do not hesitate to contact me.

Regards
Mike Elliott
Landscape Architect

Appendix 3 - Detailed Highways Comments

The Highway Authority has undertaken a preliminary review of the submitted Transport Assessment (TA). Before a full response is submitted, several fundamental issues have been identified that need to be addressed.

Paragraph 4.3.1 of the TA states that vehicular access into the site will be from a simple priority "T" junction which the Highway Authority considers is insufficient to serve the site without compromising safety and the free flow of traffic along Skegby Lane. Section 2.15 of TD 42/95 would suggest that right turning provision be provided where the minor road exceeds 300 vehicles 2-way AADT. The scale of this development is such that the number of trips at the junction will exceed this figure. Drawings will therefore need to be submitted to show a right turning facility into the site.

Visibility at the site access has been determined by recorded vehicular speeds along Skegby Lane, with a visibility splay requirement of 142m and 119m to the west and east sides respectively. TA 22/81 advises that when two different values are obtained, the higher value should be used in the design process. Drawings will therefore need to be submitted to show that a 2.4m x 142m visibility splay can be achieved on both sides of the proposed site access, without obstructing visibility for drivers at adjacent junctions.

Paragraph 6.5.6 of the TA expects the development to increase the volume of two-way traffic along Skegby Lane by 5%, and assumes that this will have a negligible impact on the operation of the A617/ B6014 Skegby Lane, and A38 Sutton Road / B6014 Skeby Lane junctions. These junctions may already be at capacity, so any increase in traffic no matter how small may seriously compromise their operation. In order to support this statement, the applicant will need to provide appropriate Linsig outputs for these junctions so that they can be assessed by Nottinghamshire County Council's Signal Engineers. The Highway Authority reserves the right to extend the study area of the model, pending the results of the requested modelling.

The Travel Plan and Floor Risk Assessment have been sent to the appropriate Officers for observations. Their comments will be forwarded as soon as they are available.

With the above in mind, we recommend that this application is initially deferred to enable the applicant to address the above points.

Matt Leek.
Development Control, Highways North.

Appendix 4 - Detailed Archaeology Comments

Thank you for your request for comments on the archaeological implications of this proposal. I have checked the application site against the County Historic Environment Record and have the following comments to make.

Historically, archaeological investigations within Nottinghamshire have centred on the Trent Valley. The reasons for this are varied and complex but the net result has been the creation of regions within the county where archaeological evidence is either totally absent, or detected, but at a very low and dispersed level. However, in recent years, several major developments along with mineral extraction has highlighted the fact that far more archaeology exists outside the Trent valley than was first thought. The proposed development sites contains historic environment features in the form of early mining remains along with possible earthworks. Furthermore, there is evidence for a range of archaeological; features in the fields to the north east and west the proposed development site.

It is likely that the application site contains important archaeological remains. If so, it is likely that any surviving archaeological deposits will be able to provide us with very valuable information. However, the proposed development is likely to damage or destroy some of these deposits. Unfortunately, we do not have enough information about the buried archaeological resource to indicate its importance and level of survival.

Archaeology is a material consideration here, and we need to be certain that we have sufficient information for a fully informed decision to be made. Accordingly, I recommend that the applicants be requested to supply additional information on the buried archaeological resource, in accordance with the advice given in the National Planning Policy Framework 2012 (paragraph 128). An **archaeological field evaluation** is necessary here, and this work should include an element of desktop assessment, possibly with a scheme of trial trenching and/or a geophysical survey. A professional archaeologist or archaeological organisation should carry out this work, and the results of the evaluation should be available to our members before the planning application is determined. I will be happy to provide further advice or comment as required.

I also would be grateful if I could be notified as to any further progress regarding this application. Please do not hesitate to contact me for further advice.

Yours faithfully,

Dr Chris Robinson
Archaeological Officer

Appendix 5 – Other comments

Ecology Comments

1. The proposals will not affect any statutorily or locally designated nature conservation sites.
2. Surveys of the site have comprised a desktop study, Phase 1 Habitat Survey and a 'preliminary protected species assessment'. The phase 1 Survey was carried out in February 2013.
3. These surveys indicate that the site is predominantly arable in nature and therefore the habitats affected by the proposals are of low inherent nature conservation value. However, a number of high-quality habitats are present on site including scrub, broad-leaved plantation woodland and hedgerows, but it appears from the Indicative Masterplan that these are being retained.
4. A Habitat Suitability Index (HSI) assessment of ponds immediately to the north of the development site has been carried out, in relation to great crested newts, and it is concluded that the proposals will not have an impact on this European Protected Species. However, it should be noted that access to the ponds was not actually obtained during the surveys, and that the HSI was carried out at a distance. Therefore certain assumptions appear to have been made, for example that fish are present and that there is an absence of aquatic vegetation. MDC need to be satisfied with this approach, given their obligations under the Habitats Regulations, and I would advise that an effort is made to obtain access to these ponds to confirm the assumptions that have been made, prior to the determination of the application.
5. No breeding birds survey of the site has been carried out, which is disappointing. However, the site is unlikely to support significant populations of any notable species. Nevertheless, a standard condition should be used to control vegetation clearance during the bird nesting season.
6. The ecological assessment recommends that a bat activity survey is carried out at the site to establish the extent to which bats are using the site and to inform any necessary mitigation and site enhancements. Given the protected status of bats, it is necessary for these surveys to be carried out prior to the determination of the application, as per paragraph 99 of Government Circular 01/2005 (which remains in force).
7. It is stated that the site provides suboptimal habitat for reptiles around the field margins, and a recommendation is made that clearance of these field margins is carried out under a method statement, under the supervision of an ecologist. It is therefore recommended that MDC attach a condition to any permission granted requiring the submission of and compliance with such a method statement.
8. A number of enhancement measures are outlined in section 7.2 of the ecological appraisal, and these should be incorporated into a detailed landscaping scheme for the site, the production of which should be made a condition of any permission granted. The production of a landscape management plan should also be conditioned, to ensure that

created and retained areas of habitat on the site are managed in such a way that maximises their nature conservation value.

9. A condition should be used to require the submission of further details relating to the balancing ponds, again to ensure that their nature conservation value is maximised.
10. A further condition should be used to require the submission of details relating to the protection of retained features (such as hedgerows and woodland) during construction; alternatively, this could be incorporated into a CEMP.

Nick Crouch
Senior Practitioner Nature Conservation

Planning Policy –Waste Comments

With regards to waste policy, we would draw attention to Policy WCS1 of the emerging Nottinghamshire and Nottingham Waste Core Strategy, which requires the design and construction of new development in such a way as to 'minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from development'. This is in line with PPS10, which requires all planning authorities, including local district and borough councils, to consider the waste implications of new development.

Eilidh McCallum
Planning Officer